IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

In re: ZYPREXA

PRODUCTS LIABILITY LITIGATION

MDL No. 1596

THIS DOCUMENT RELATES TO:

INNOCENZO TRINGALI, on Behalf of Himself

and All Others Similarly Situated,

No. 04 CV 2104 (JBW)

Plaintiffs,

٧.

ELI LILLY AND COMPANY,

users;

Defendant

STIPULATION OF VOLUNTARY DISMISSAL OF ALL REMAINING CLASS CLAIMS

WHEREAS, plaintiffs have filed a putative class action on behalf of Zyprexa

WHEREAS, Eli Lilly and Company has answered the complaint:

WHEREAS, by Stipulation approved and Ordered by the Court on September 27, 2004, the parties previously dismissed without prejudice all personal injury claims made on behalf of any class or subclass as of November 1, 2004;

WHEREAS, no motion for class certification has been filed and no class certified;

NOW THEREFORE, pursuant to Rule 41(a), plaintiff hereby dismisses all remaining claims made on behalf of any class with prejudice. Plaintiff's individual claims, however, shall continue.

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Dated: 8 / 22, /2005